

REMARKS

Overview

Claims 1, 3-10, and 12-16 are pending in this application. Claims 1, 6, 8, 13 and 16 have been amended. Claims 2 and 11 have been cancelled. The present response is an earnest effort to place all claims in proper form for immediate allowance. Reconsideration and passage to issuance is therefore respectfully requested.

Issues Under 35 U.S.C. § 103

Claims 1-9, 13-16 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 1,394,620 to Haupt in view of U.S. Patent No. 4,952,153 to McAllister and in further view of U.S. Patent No. 3,469,325 to Greenberg. These rejections are respectfully traversed.

Haupt discloses an educational toy comprised of a series of larger boards and a series of smaller boards. The larger boards include a picture of an object and a name associated with that object above the object. Below the picture is a recess in the board. The smaller boards have matching names to the objects on the larger boards. The smaller boards are identical in shape and size, and will fit into each recess of the larger board. The goal of the educational toy is to have the child match the word on the smaller board into the correct recess of a larger board which includes the object the word is describing.

McAllister is directed towards a toy which has various recesses which accept correspondingly shaped magnetic pieces. Greenberg discloses an educational game involving a framed recess where answer cards with a coded configuration are matched together to correspond to educational exercises like math equations.

Claim 1 has been amended to incorporate limitations from claim 2. In particular, claim 1 now requires "a transparent sleeve attached to the bottom surface of the body for securing the replaceable name tag to the body." Also, claim 1 has been amended to specify that the aperture is "through" the body. In addition, claim 1 has been amended to specify that "the replaceable name tag having a first surface and an opposite second surface, the educational information presented on the second surface and the second surface being viewable when the desktop teaching aid body secured to the desk with the magnetic material." Finally, claim 1 has been amended to require "wherein the transparent sleeve covers the replaceable name tag while displaying and protecting the second surface of the name tag." These amendments emphasize significant and meaningful structural differences between the invention of claim 1 and the cited prior art.

In particular, note that none of the references cited have the same aperture through the body. Having the aperture through the body allows the transparent sleeve to be attached to the bottom of the surface while allowing the name tag to be displayed and protected by the transparent sleeve. Having the transparent sleeve on the bottom surface of the body also makes it more difficult for a student to access it. The cited prior art references have removable pieces, but these removable pieces are meant to be frequently moved by the student as part of an educational game. The cited prior art references thus actually teach away from the claimed invention, because the present invention protects against frequent access by a student by placing the name tag into the device from the bottom of the device, and not making the edges available to protect the name tag from wear and tear.

These "sleeve" limitations further distinguish the prior art. Each prior art reference is directed towards an educational game, which is a significantly different context than the present invention. The present invention encompasses a desktop teaching aid, not a game or toy. As

such, the teaching aid is intended to remain present on a student's desktop over an extended period of time in order to display the name of the current student sitting at that desk and/or educational material which the student may frequently use throughout periods of the school year. This frequent use can create certain problems. For example, one of the objects of the invention was to avoid the development of "'dog ears' that would be present if it was adhered to a desk." (original specification, p. 3 line 26). Thus, in addition to displaying the replaceable nametag, the sleeve will protect the name tag and reduce the wear-in-tear of the name tag. Therefore this rejection to claim 1 should be withdrawn. As claims 3-7 and 19 depend from claim 1, these rejections should also be withdrawn.

With respect to claims 8 and 13, claim 8 and 13 now require that "the replaceable name tag region includes a sleeve for securing the replaceable name tag to the body wherein the sleeve covers the replaceable name tag while displaying and protecting the second surface of the name tag." As with claim 1, neither Haupt, McAllister nor Greenberg disclose this limitation. Thus, for the same reasons as with claim 1, it is respectfully submitted that this limitation now found in claims 8 and 13 distinguishes over the cited prior art. As claim 9 depends on claim 8, this rejection should also be withdrawn. As claims 14 and 15 depend on claim 13, these rejections should also be withdrawn.

Claims 10 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Haupt and McAllister and in further view of U.S. Patent No. 5,533,902 to Miller. These rejections are also respectfully traversed.

Miller involves an educational matching game where replaceable cards are inserted into pockets on a board to match with one or more pictures on the board. Again, Miller is directed towards an educational toy and thus fails to recognize or solve the same problems as the claimed

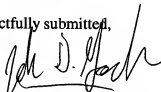
invention. Miller fails to either disclose a magnetic backed board or an aperture or recess in the board. Note also that Miller also fails to disclose a sleeve attached to the bottom surface of the body as required by claim 8, from which claims 10 and 12 depend. As claims 10 and 12 are dependent on claim 8, is respectfully submitted these rejections to claims 10 and 12 should be withdrawn.

Conclusion

For all the reasons stated herein, it is respectfully submitted that all pending rejections should be withdrawn and the Examiner should find all claims allowable. No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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